

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

56-13

Resolution No. _____

Passed _____

, 20____

**A RESOLUTION ADOPTING A STATEMENT REGARDING
POSSIBLE INCOMPATIBLE LAND USES AND ZONING BUFFER
FOR A PROPOSED ANNEXATION OF 4.6 ACRES, MORE OR
LESS, FROM WASHINGTON TOWNSHIP, FRANKLIN COUNTY,
TO THE CITY OF DUBLIN, OHIO AS REQUIRED BY SECTION
709.023(C) OF THE OHIO REVISED CODE.**

WHEREAS, a petition for an Expedited II method of annexation of 4.6 acres, more or less, from Washington Township, Franklin County was filed in the offices of the Board of County Commissioners of Franklin County, Ohio on September 9, 2013 by Jackson B. Reynolds, III, agent for Petitioner Jay B. Eggspuehler, 7250 Coffman Road, Dublin, Ohio 43017; and

WHEREAS, the Expedited II method of annexation, pursuant to Section 709.023(C) of the Ohio Revised Code, requires that within 20 days of the petition being filed, the municipality to which annexation is proposed must adopt an ordinance or resolution relating to land uses and buffers if the territory proposed to be annexed is currently subject to either county zoning pursuant to Chapter 303 of the Ohio Revised Code or township zoning pursuant to Chapter 519 of the Ohio Revised Code; and

WHEREAS, the territory proposed for annexation is currently subject to township zoning, pursuant to Chapter 519 of the Ohio Revised Code; and

WHEREAS, pursuant to Section 709.023(C) of the Ohio Revised Code, this resolution must state that should (a) the territory be annexed and (b) subsequently becomes subject to municipal zoning, and (c) the municipal zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning in the adjacent land remaining in the township from which the territory was annexed, then the Dublin City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township; and

WHEREAS, pursuant to Section 709.023(C) of the Ohio Revised Code, "buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks; and

WHEREAS, Section 153.004(D) of the Dublin Codified Ordinances requires that upon annexation, the annexed territory be automatically rezoned to R Rural District subject to regulations and procedures contained in the City of Dublin Zoning Code and amendments; and

WHEREAS, the territory proposed for annexation is adjacent to the City of Dublin to the south and, adjacent areas to the north and south and east are unincorporated Washington Township territory.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, _____ of its elected members concurring, that:

Section 1. The City of Dublin adopts the following statement for the 4.6 acres, more or less, in Washington Township, Franklin County:

Should the territory (a) be annexed and (b) subsequently become subject to zoning pursuant to the Dublin Codified Ordinances, and (c) the municipal zoning permits uses in the annexed territory that Dublin City Council determines are clearly incompatible with the uses permitted under current county or township zoning in the adjacent land remaining in the township from which the territory was annexed, then the Dublin City Council will require, in the zoning ordinance

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permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township should land adjacent to the territory be determined to be unincorporated territory.

Section 2. This resolution shall be effective immediately upon its passage as provided under Section 4.04(a) of the Revised Charter.

Passed this _____ day of _____, 2013.

Mayor - Presiding Officer

ATTEST:

Clerk of Council




City of Dublin

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager 

Date: September 19, 2013

Initiated By: Steve Langworthy, Director Land Use and Long Range Planning
Paul Hammersmith, P.E., Director of Engineering/City Engineer
Gary P. Gunderman, Planning Manager
Barbara Cox, P.E., Engineering Manager – Development

Re: Resolution 55-13 - A Resolution adopting a Statement of Services for a Proposed Annexation of 4.6 acres More or Less from Washington Township, Franklin County by Jackson B. Reynolds, III, agent for Petitioner Jay B. Eggspuehler, 7250 Coffman Road, Dublin, Ohio 43017 (Case No. 13-098 ANEX)

Resolution 56-13 - A Resolution Adopting a Statement Regarding Possible Incompatible Land Uses And Zoning Buffer for a Proposed Annexation of 4.6 Acres, More Or Less, from Washington Township, Franklin County to the City of Dublin, Ohio as Required by Section 709.023(C) of the Ohio Revised Code.

Request from applicant for Fee Waiver for annexation petition processing

Background

On September 9, 2013, agent Jackson B. Reynolds, III filed an annexation petition on behalf of Jay B. Eggspuehler 7250 Coffman Road, Dublin, Ohio 43017. The petition is for 4.6 acres, more or less of land, in Washington Township, located east of Coffman Road adjacent to the Woods of Indian Run subdivision. The petition was filed pursuant to R.C. 709.023, the "Expedited Two" annexation method.

Under this process, the City must adopt an ordinance or resolution relating to municipal services within 20 days after the petition is filed. Within 20 days after the petition is filed, the City must also adopt an ordinance or resolution relating to land uses and zoning buffers, if the territory proposed to be annexed is currently subject to either county or township zoning. Resolutions Nos. 55-13 and 56-13 have been prepared for these purposes and for your consideration.

The Franklin County Commissioners will grant the proposed annexation, without a hearing, if neither the municipality nor the township object to the annexation by ordinance or resolution within 25 days after the petition is filed. If neither the municipality nor the township object, the Commissioners must grant the proposed annexation without a hearing, if certain criteria established in R.C. 709.023 have been met.

This proposed annexation is for 4.6 acres, more or less, and includes no right-of-way.

Fee Waiver

The applicant has requested that the City waive the annexation fees of \$3,700. The staff supports this request in keeping with some previous City annexations where property in a township island was proposed for annexation.

Background

ZONING

The current Washington Township zoning classification for this property is R-SR Suburban Residential District, which allows for single-family housing on larger lots. Upon annexation, the property will be automatically zoned R Rural District, under the Zoning Code of the City of Dublin. This would allow up to four single-family residences on this property.

The adjacent properties are parcels similar to this application -- large lots stretching from Coffman Road to the North fork of the Indian Run Creek, with some parcels vacant and some with single-family homes. This application does not include annexation of the area adjacent to Coffman Road where an existing single-family home is located.

FUTURE DEVELOPMENT AND COMMUNITY PLAN

The Community Plan anticipated annexation of this area. The adopted Future Land Use Map calls for Residential Medium Density development for this area.

This site is currently vacant.

SERVICE ASSESSMENT

- **POLICE PROTECTION**

The City of Dublin has five police districts and deploys a minimum of five cruisers. The subject annexation is located 1.3 driving miles from the Justice Center, the Division of Police headquarters. The City of Dublin provides police and communications services on a 24-hour basis and has mutual aid agreements with other jurisdictions. The annexation area will be fully served with police and communications services at the same or similar level now being provided to other areas of the City with similar land use and population.

- **FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE (EMS)**

The Washington Township Fire Department provides fire protection to this area of Dublin and already provides service to the subject property. The closest station is located 1.2 miles away on Brand Road. The annexation area will be fully served with fire and EMS services at the same or similar level now being provided to other areas of the City with similar land use and population.

- **SOLID WASTE COLLECTION**

The City of Dublin provides residential solid waste collection at no additional fee.

- **WATER DISTRIBUTION**

The property is located within Dublin's exclusive annexation area of the Water Service Agreement with the City of Columbus. Currently, the nearest public water in the City of Dublin

is located at the terminus of Nature Drive. This eight-inch line should be extended through any proposed development.

- **SANITARY SEWER (WASTEWATER) COLLECTION**

The property is located within Dublin's exclusive annexation area within the Sanitary Service Agreement with the City of Columbus. This property is located within the tributary area of the North Fork Indian Run trunk sewer. A 24-inch sewer runs along the rear of the lots of the Indian Run subdivision and will provide sanitary sewer service to the property.

- **STORMWATER MANAGEMENT AND FLOODPLAIN**

This property is located in the North Fork Indian Run watershed as defined by the Stormwater Master Plan. The property slopes from west to east and is adjacent to the North Fork Indian Run waterway. Any development of this property will be required to meet the requirements of the Stormwater Regulations (Chapter 53).

The eastern portion of this property is located within the FEMA-designated floodplain for the North Fork Indian Run. Any development of this property within the floodplain boundaries will be required to meet the Floodplain Control regulations (Chapter 151).

- **ROADS AND STREETS**

The primary roads serving this acreage are Coffman Road, Forest Run Drive, and Nature Drive stub street north into the property, all existing streets. Nature Drive is currently within the jurisdiction of the City of Dublin for management and maintenance purposes. Any new roads or streets, which would be dedicated to the City within a proposed development would be maintained to the same degree and extent that these public facilities are maintained in areas with similar land use and population.

Recommendation

Staff recommends approval of the resolutions regarding the Statement of Services and Possible Incompatible Land Uses and approval of a motion for a fee waiver. Upon City Council's approval, these resolutions will be forwarded to the Franklin County Commissioners for their consideration of the annexation of the 4.6 acres, more or less, from Washington Township to the City of Dublin.

Eggspuehler Annexation September 2013

